

Application No. 10/613,664
Statement

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Customer No. 01933

SEP 29 2004

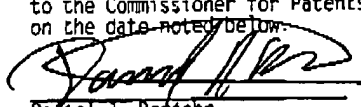
Attorney Docket No. 990589RE/LH

CERTIFICATE OF FACSIMILE
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TOTAL PAGES: 12

Amendment (7): Statement (1):
Statement of Status (3):
PTO-2038 for \$172 (1)

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is being facsimile transmitted
to the Commissioner for Patents
on the date noted below.


Daniel J. Berzohn

Dated: September 29, 2004

In the event that this Paper is
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extent not tendered by form PTO-
2038 attached hereto.
authorization to charge the
extension fee to Account
No. 06-1378.

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Yoshihiro SHIMADA

Serial No. : 10/613,664

Filed : July 2, 2003

For : SCANNING OPTICAL MICROSCOPE

Art Unit : 2878

Examiner : Stephone B. Allen
STATEMENT

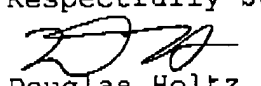
MS REISSUE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

It is respectfully submitted that the Amendment and
Statement of Status/Support for all Changes to the Claims
submitted herewith fully comply with all requirements for
amendments in **reissue applications**, as set forth in
37 CFR 1.121(i) and 37 CFR 1.173.

Accordingly, it is respectfully submitted that the Amendment
submitted herewith be approved and entered.

Respectfully submitted,


Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2023
Tel. No. (212) 319-4900

DH:iv

Application No. 10/613,664
Statement of Status/Support for Changes to the Claims

Customer No. 01933

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Applicant(s): Yoshihiro SHIMADA

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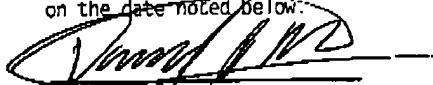
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Daniel J. Bersohn

Dated: September 29, 2004

**STATEMENT OF STATUS/
SUPPORT FOR ALL CHANGES MADE TO CLAIMS
UNDER 37 CFR 1.173 (c)**

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PTO-2038 attached hereto,
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Alexandria, VA 22313-1450

S I R :

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Original claims 1-6 remain pending in unamended form,
claim 9 remains pending as added in the Preliminary Amendment
filed with the Reissue Application papers on July 2, 2003, and
claims 7, 8 and 10 are amended as set forth in the Amendment
submitted herewith.

Application No. 10/613,664
Statement of Status/Support for Changes to the Claims

Customer No. 01933

Claim 7

Claim 7 has been amended to recite that the spectral resolving unit resolves the fluorescent rays from the sample into successive spectral components, and that the wavelength splitter splits the successive spectral components resolved by the spectral resolving unit into rays of a plurality of different wavelengths, as supported by the disclosure in the specification at column 4, lines 46-49, and column 5, lines 43-50.

No new matter has been added.

Claim 8

Claim 8 has been amended to be rewritten in independent form to include all of the subject matter of claim 7 from which claim 8 formerly depended.

No new matter has been added.

Claim 10

Claim 10 has been amended to be rewritten in independent form to include all of the subject matter of claim 7 from which claim 10 formerly depended, as well as to correct a minor antecedent basis problem in the last line of claim 10 to change "bundle of" to "fluorescent".


No new matter has been added.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



Douglas Holtz
Reg. No. 33,902

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